



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Agenda - Final Council

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Monday, May 6, 2019

7:00 PM

Esquimalt Council Chambers

1. CALL TO ORDER

2. LATE ITEMS

3. APPROVAL OF THE AGENDA

4. MINUTES

1) [19-200](#) Minutes of the Special Meeting of Council, April 15, 2019

Attachments: [2019 04 15 Special Council Minutes - Draft](#)

2) [19-201](#) Minutes of the Regular Meeting of Council, April 15, 2019

Attachments: [2019 04 15 Regular Council Minutes - Draft](#)

5. PUBLIC HEARING

The Public Hearing is to afford all persons who deem their interest in property affected by the Bylaw an opportunity to be heard or to present written submissions before the Municipal Council on matters contained in the Bylaw.

1) [19-202](#) Notice of Public Hearing - Rezoning Application - 638 and 640 Constance Avenue and 637 Nelson Street

Attachments: [Public Hearing Notice - Rezoning Application - 638 and 640 Constance Avenue and 637 Nelson Street](#)

2) **Background Information - Available for Viewing Separately**

3) **Director of Development Services - Overview of Application**

a) [19-191](#) Rezoning Application - 638 & 640 Constance Avenue and 637 Nelson Street, Staff Report DEV-19-039

Attachments: [Appendix A - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2927](#)
[Appendix B - Subject Property Map, Aerial Map, OCP Policies](#)
[Appendix C - Architectural Drawings, Landscape Plan, Surveyor's Site Plan](#)
[Appendix D - Green Building Checklist](#)
[Appendix E - Applicant's Letter](#)
[Appendix F - Parking Study](#)
[Appendix G - Developer's Public Consultation Summary](#)
[Appendix H - Public Comments](#)
[Appendix I - Tree Preservation Plan](#)

4) Applicant or Authorized Representative - Overview of Application

5) Public Input

6) Adjournment of Hearing

7) Consideration of Staff Recommendation

1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2927, attached to Staff Report DEV-19-039 as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2927, from RM-1 [Multiple Family Residential] to CD No. 110 [Comprehensive Development District No. 110] be given third reading; and

2. That, as the applicant wishes to assure Council that uses and development will be restricted and amenities provided as identified in Staff Report DEV-19-039, the applicant has voluntarily agreed to register a Section 219 Covenant on the title of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854] in favour of the Township of Esquimalt providing the lands shall not be subdivided, built upon or used (as appropriate to the requirement, as drafted by the Township's solicitor at the applicant's expense) in the absence of all of the following:

- Lot consolidation of 638 Constance Avenue [PID 000-546-437, Lot B (DD 237133I), of Lots 79 and 89, Suburban Lot 44, Esquimalt District, Plan 2854], 640 Constance Avenue [PID 000-380-911, Amended Lot 88 (DD 208422I), of Suburban Lot 44, Esquimalt District, Plan 2854], and 637 Nelson Street [PID 006-386-466, Lot D (DD 367731-I), Suburban Lot 44, Esquimalt District, Plan 2854] prior to development as the proposed CD No.110 Zone does not work unless the parcels are consolidated
 - The building be constructed to include six 3-bedroom dwelling units
 - Seven visitor parking spaces will be provided and remain as illustrated in the parking plan, attached as Appendix C to Staff Report DEV-19-039
 - \$500 per unit car shares from Modo car share services
 - Provision of a car share vehicle through Modo
 - 15 parking stalls to have Level 2 (240V, AC plug with a dedicated 40 amp circuit) electric vehicle charging stations
 - Provision of 12 months of BC Transit bus passes for the Victoria Regional Transit System to all the residents
 - Play structure on the usable open space
 - Water main upgrade along Constance Avenue (or Nelson Street) in order to provide the sufficient fire flow demand
 - That the parcel is not to be subdivided (to prevent stratification)

Council direct staff and legal counsel for the Township to coordinate with the property owner to ensure a Section 219 Covenant addressing the aforementioned issues is registered against the property title, in priority to all financial encumbrances, prior to returning Amendment Bylaw No. 2927 to Council for consideration of adoption.

6. PUBLIC INPUT (On items listed on the Agenda)

Excluding items which are or have been the subject of a Public Hearing.

7. STAFF REPORTS

Finance

1) [19-189](#) 2018 Audited Financial Statements, Staff Report FIN-19-006

Recommendation:

That Council receive and approve the Township's audited financial statements for the year ended December 31, 2018 attached to Staff Report FIN-19-006.

Attachments: [2018 Audited Financial Statements](#)

Development Services

2) [19-137](#) Rezoning Application - 838 and 842 Admirals Road, Staff Report DEV-19-040

Recommendation:

That Council resolves that Amendment Bylaw No. 2926, attached to Staff Report DEV-19-040

as Appendix A, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 838 Admirals Road [PID 005-074-011, Lot 17, Block 7, Section 10, Esquimalt District, Plan 2546 Except that part in Plan VIP86845], shown cross hatched on Schedule 'A' of Bylaw No. 2926, from CD No. 75 [Comprehensive Development District No. 75] to CD No. 109 [Comprehensive Development District No. 109], and by changing the zoning designation of 842 Admirals Road [PID 006-324-118, Lot 16, Block 7, Section 10, Esquimalt District, Plan 2546], also shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2926, from RD-3 [Single Family/Two Family Residential] to CD No. 109 [Comprehensive Development District No. 109], be adopted.

Attachments: [Appendix A - Zoning Amendment Bylaw No. 2926](#)
[Appendix B - Section 219 Covenant CA7439118, Priority Agreement CA7439121 \[as registered\]](#)

3) [19-154](#) Development Variance Permit Application- 1336 Wood Street, Staff Report DEV-19-031

Recommendation:

That Council resolves that Development Variance Permit No. 00085 [Appendix A] authorizing the construction as shown in the architectural drawings prepared by Adapt Design, stamped "Received January 22, 2019", sited as detailed on the survey plan prepared by Wey Mayenburg, stamped "Received January 22 2019", and including the following variances to the Zoning Bylaw, 1992, No. 2050, **be approved, and staff be directed to issue the permit and register the notice on the title** of the property located at 1336 Wood Street [PID 006-375-324, Lot 59, Suburban Lot 37, Esquimalt District, Plan VIP 2854 and PID 006-375-294, Lot 58, Suburban Lot 37, Esquimalt District, Plan VIP 2854]; and

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(a)(i)- Siting Requirements- Primary Building-Front Setback: Exemption from the requirement that no principal building shall be located within 7.5 metres of the Front Lot Line [i.e from 7.5m to 3.2m].

Attachments: [Appendix A - DVP00085](#)
[Appendix B - Drawings and Survey](#)
[Appendix C - Property Map and Aerial Photo](#)
[Appendix D - RS1 Zone](#)

4) [19-172](#) OCP Amendment Consultation List - 616/620 Constance Avenue, 619/623 Nelson Street & 1326 Miles Street, Staff Report DEV-19-041

Recommendation:

That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan, attached as Appendix 'B' to Staff Report DEV-19-041, detailing the proposed development at 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot

96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854] to those persons, organizations, and authorities identified in Appendix 'A' of Staff Report DEV-19-041.

Attachments: [Appendix A - Official Community Plan Amendment Consultation List](#)
[Appendix B - Proposed Development Concept Plan](#)

5) [19-197](#) Development Permit Application - 622 Admirals Road, Staff Report DEV-19-038

Recommendation:

That Council resolves that Development Permit No. DP000043, attached as Schedule A to staff report DEV-19-038, authorizing the form and character of the proposed development of a new commercial and 179 unit residential care facility, consistent with the architectural plans, elevation drawings and street views prepared by Praxis Architects Inc. and Zeidler Architecture stamped "Received April 26, 2019", and the Preliminary Landscape Plan, prepared by Lombard North Group Inc. stamped "Received April 26, 2019" and sited in accordance with the BCLS Site Plan prepared by Powell & Associates, BC Land Surveyors, stamped "Received April 26, 2019", for the development to be located at 622 Admirals Road [PID 030-615-992; Lot A, Suburban Lot 43, Esquimalt District, Plan EPP82555] be approved, and staff be directed to issue the permit (subject to receipt of the required landscape security), and register the notice on the title of the subject property.

Attachments: [Schedule A - DP000043 - 622 Admirals Road](#)
[Schedule B - Airphoto, OCP PFLU Map, CD82 Zone](#)
[Schedule C - Applicant Response to DRC, DP Guideline Matrix, Green Checklist](#)

6) [19-198](#) OCP Amendment Consultation List - 681 and 685 Admirals Road, Staff Report DEV-19-042

Recommendation:

That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan, attached as Appendix 'B' to Staff Report DEV-19-042, detailing the proposed development at 681 Admirals Road [PID 007-801-963 Lot 25 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] + [PID 007-801-980 Lot 26 Block 4 Suburban Lot 50 Esquimalt District Plan 1153] and 685 Admirals Road [PID 007-802-013 Lot B (DD G17083), Suburban Lot 50, Esquimalt District, Plan 1153] to those persons, organizations, and authorities identified in Appendix 'A' of Staff Report DEV-19-042.

Attachments: [Appendix A - Official Community Plan Amendment Consultation List](#)
[Appendix B - Proposed Development Concept Plan](#)

8. BYLAWS

1) [19-195](#) Financial Plan Bylaw, 2019, No. 2959 - For Adoption

Attachments: [Bylaw 2959 - 2019 Financial Plan](#)
[Bylaw 2959 - Schedule A](#)
[Bylaw 2959 - Schedule B](#)

2) [19-196](#) Tax Rates Bylaw, 2019, No. 2960 - For Adoption

Attachments: [Bylaw 2960 - 2019 Tax Rates](#)
[Bylaw 2960 - Schedule A](#)

9. MAYOR'S AND COUNCILLORS' REPORTS

1) [19-194](#) Association of Vancouver Island and Coastal Communities, 2019 Conference Report, Councillor Meagan Brame

Attachments: [AVICC Report 2019 - Councillor Brame](#)

2) [19-181](#) Reconsideration of Motion re Policing, Mayor Barbara Desjardins

Attachments: [Reconsideration of Motion re Policing - Mayor Desjardins](#)

10. REPORTS FROM COMMITTEES

1) [19-206](#) Adopted Minutes from the Advisory Planning Commission, March 19, 2019

Attachments: [2019 03 19 Advisory Planning Commission Minutes](#)

11. COMMUNICATIONS

1) [19-207](#) Email from Sue Zhang, Director, Falun Dafa Association of Vancouver, dated April 11, 2019, Re: Greetings Letter / Proclamation Request for Falun Dafa Day

Attachments: [Email - Falun Dafa Association of Vancouver](#)

2) [19-208](#) Letter from Sandra Richardson, CEO, Victoria Foundation, dated April 12, 2019, Re: Victoria's Vital Signs Report

Attachments: [Letter - Victoria Foundation](#)

3) [19-209](#) Letter from Mayor Fred Haynes, District of Saanich, dated April 23, 2019, Re: Funding for the Victoria Sexual Assault Centre

Attachments: [Letter - District of Saanich](#)

4) [19-210](#) Email from Capital Regional District Regional and Strategic Planning, dated April 24, 2019, Re: Letter from CRD Board Chair Re: Regional Foodland Access Program

Attachments: [Email - CRD Regional Foodland Access Program](#)

5) [19-211](#) Email from Capital Regional District Regional and Strategic Planning, dated April 26, 2019, Re: Additional Information Re: Letter from CRD Board Chair Re: Regional Foodland Access Program

Attachments: [Email - CRD Regional Foodland Access Program - Additional Information](#)

6) [19-212](#) Letter from Robert George, Vice-Admiral (ret'd), dated April 25, 2019, Re: National Maritime Museum Initiative

Attachments: [Letter - R. George](#)

7) [19-213](#) Email from Rich Elliott, Executive Assistant, Mayor's Office, City of Victoria, dated April 29, 2019, Re: Letter from Mayor Helps, Re: Climate Action Through Transit Ridership

Attachments: [Email - City of Victoria](#)

8) [19-215](#) Letter from Zsuzsa Harsman, Susan Gage and Elaine Hooper, For the Esquimalt United Justice Team, dated May 1, 2019, Re: Developing a Reconciliation Plan for Esquimalt

Attachments: [Letter - Esquimalt United Justice Team](#)

12. NOTICE OF MOTION

1) [19-145](#) Notice of Motion - Professional Development for Mayor and Council, Councillor Vermeulen - For Discussion

Attachments: [Notice of Motion - Professional Development for Mayor & Council, Councillor Vermeulen](#)

13. PUBLIC QUESTION AND COMMENT PERIOD

**Excluding items which are or have been the subject of a Public Hearing.
Limit of two minutes per speaker.**

14. ADJOURNMENT